

DMB:KLM:slg:2000V00797

1-~~30~~-01
Sc

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

PAUL LEE,
Plaintiff

v. : Civil No. 1:CV-00-1046
: (Kane, J.) **FILED**
ES OF AMERICA, et al. : **HARRISBURG**
Defendants : JAN 29 2001

UNITED STATES OF AMERICA, et al.
Defendants

MARY E. D'ANDREA, CLERK
Per _____ DEPUTY CLERK

The Defendants United States of America and Bureau of Prisons asks the Court to dismiss the amended complaint pursuant to Fed. R. Civ. P. 12(b) and to grant summary judgment in its favor pursuant to Fed. R. Civ. P. 56(b). A brief in support of this motion will be filed in accordance with M.D. Pa. Local Rule 7.5.

Counsel certifies that she has not obtained the concurrence of plaintiff pursuant to M.D. Pa. Local Rule 7.1 because plaintiff is a prisoner proceeding pro se.

Respectfully submitted,

DAVID M. BARASCH
United States Attorney

KATE L. MERSHIMER
Assistant U.S. Attorney
SHELLEY L. GRANT
Paralegal Specialist
217 Federal Building
228 Walnut Street
P.O. Box 11754
Harrisburg, PA 17108

Dated: January 29, 2001

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

PAUL LEE, :
Plaintiff :
: :
v. : Civil No. 1:CV-00-00486
: (Kane, J.)
UNITED STATES OF AMERICA, et al. :
Defendants :
:

CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.

That on January 29, 2001, she served a copy of the attached

**DEFENDANTS' MOTION TO DISMISS AND
FOR SUMMARY JUDGMENT**

by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

Addressee:

Paul Lee
Reg. No. 01656-087
FCI Elkton
P.O. Box 89
8730 Scroggs Road
Elkton, Ohio 44415

Shelley L. Grant
SHELLEY L. GRANT
Paralegal Specialist